

REMARKS

In response to the Restriction Requirement dated July 13, 2004, Applicants elect the invention of Group I (claims 1-15, drawn to nucleic acid, pharmaceutical, vector, cell, and process of making protein) without traverse.

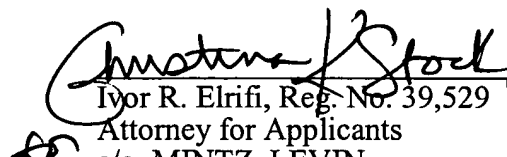
Applicants are filing this Preliminary Amendment and Response in conjunction with a Petition Under 37 C.F.R. §1.48(b) along the appropriate fee under 37 C.F.R. §1.17(h) in order to delete those inventors who were correctly named in the instant application as filed, but are not inventors of the invention currently recited by the pending claims, as amended.

Upon entry of the present amendment, claims 1-5, 7 and 10-15 are pending. Claims 6, 8-9 and 16-17 have been cancelled without prejudice or disclaimer. Applicant reserves the right to prosecute that subject matter, as well as the originally presented claims, in continuing applications. Claims 1, 3-5, 7, 11-13 and 15 have been amended. Support for the amendments presented herein is found throughout the specification and claims as originally filed. Accordingly, no new matter has been added by the claim amendments presented herein.

CONCLUSION

On the basis of the foregoing amendment and remarks, Applicants respectfully submit, that the pending claims are in condition for allowance. If there are any questions regarding this amendment and/or these remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,


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